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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,684	07/28/2000	Jaakko Rajaniemi	975.311USW1	3794
32294	7590	04/22/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			SMITH, SHEILA B	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/627,684	RAJANIEMI, JAAKKO
	Examiner Sheila B. Smith	Art Unit 2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 24 November 2004.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-8 and 19-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-8 and 19-21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 2, 6, 19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al. (U. S. Patent Number 6,173,173) in view of Rudokas et al. (U. S. Patent Number 6,185,416).

*Regarding claims 1,19, and 20*, Dean et al. discloses all the claimed invention as set fourth in the instant application, in addition Dean et al. discloses a invalid mobile telephone call terminating system and method further Dean et al. discloses a method for performing a detach of a terminal (mobile phone) registered to a network (mobile service center) by associating an identification for terminal deriving a signature for identification, and allocation a pair consisting of (which reads on client's request number) and "identification signature" (which reads on signature dn,) terminal, method comprising the steps of comprising "sending a detach request" (which reads on kill call request message) detach request including identification and identification signature from registered terminal to network as disclosed (column 7 lines 62-67), receiving detach request at the network side as disclosed (column 4 lines 1-5), comparing received detach request with a record of registration date of terminal kept at the network side request as disclosed (column 8 lines 1-7), detaching terminal from network (which reads on tearing down from the network a call or kill call from the network as disclosed in column 1 lines

57-67), if received detach request coincides with said record of registration data as disclosed (column 8 lines 1-7). However, Dean et al. fails to specifically disclose detaching a registered terminal from a network.

In the same field of endeavor Rudokas et al. discloses a method and apparatus for fraud control in cellular telephone system. Additionally Rudokas et al. discloses detaching a registered (validated) terminal from a network as disclosed in column 2 lines 25-40.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Dean et al. by modifying a invalid mobile telephone call terminating system and method with detaching a registered terminal from a network as taught by Rudokas et al. for the purpose of preventing the call.

***Regarding claim 2***, Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 1 ) additionally, the combination of Dean et al. in view of Rudokas et al. specifically discloses sending of said detach request message is initiated upon detection of a predetermined state of said terminal (which reads on column 2 lines 16-20).

***Regarding claim 6***, Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 1 ) additionally, the combination of Dean et al. in view of Rudokas et al. specifically discloses wherein said record of registration data contains said pair consisting of said identification and said identification signature (which reads on client's request number) and "identification signature" (which reads on signature dn,), and said comparison is effected for each of said data items forming said pair (which reads on column 7 lines 62-67).

***Regarding claim 21***, Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 1 ) additionally, the combination of Dean et al. in view of Rudokas et al. specifically a telecommunication system consisting of at least one terminal and at least one network controlling device controlling at least one radio transceiver device, adapted to carry out the method (which reads on column 3 lines 20-27).

3. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al. in view of Rudokas et al. and further in view of well known prior art.

***Regarding claim 3***, Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 2) however, the combination of Dean et al. in view of Rudokas et al. fails to specifically disclose said predetermined state is a power off state.

The examiner contends, however, that the predetermined state is a power off state is well known in the art and at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Dean with the teachings of well known prior art since it is known in the art to power the phone off if not in use or if there is no charge on the battery.

***Regarding claim 4***, Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 2) however, the combination of Dean et al. in view of Rudokas et al. fails to specifically disclose predetermined state is a low battery state.

The examiner contends, however, that the predetermined state is a low battery state is well known in the art and at the time of invention, it would have been obvious to a person of

ordinary skill in the art to modify Dean with the teachings of well known prior art since it is known in the art to power the phone off if not in use or if there is no charge on the battery.

*Regarding claim 5*, Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 2) however, the combination of Dean et al. in view of Rudokas et al. fails to specifically disclose said predetermined state resides in a removal of a SIM module from said terminal.

The examiner contends, however, that the predetermined state resides in a removal of a SIM module from said terminal is well known in the art and at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Dean with the teachings of well known prior art since it is known in the art to use a SIM module for storing information.

4. Claims 7, 8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al. in view of Rudokas et al. and further in view of Kuriki (U. S. Patent Number 5,765,105).

*Regarding claims 7,8* , Dean et al. in view of Rudokas et al. discloses everything claimed, as applied above (see claims 1) however, the combination of Dean et al. in view of Rudokas et al. fails to specifically disclose temporary subscriber and international subscriber identity.

In the same field of endeavor, Kuriki further discloses a communication system capable of using a plurality of subscriber identity media sharing a single subscriber identity information. In addition Kuriki discloses a international subscriber identity in column 1 lines 25-30.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve the combination of Dean et al. in view of Rudokas et al. by modifying a invalid mobile telephone call terminating system and method with the use of a temporary subscriber and international subscriber identity as taught by Kuriki for the purpose of authenticating the number.

*Response to Arguments*

2. Applicant's arguments filed 11/24/04 have been fully considered but they are not persuasive.

Regarding applicant arguments that Dean fails to teach sending a detach request which includes both the identification and the identification signature from the registered terminal to the network, the examiner contends that column 7 lines 62-67 reads on the client challenge, generates the signature, and formats a kill call request message with the signature, dn (which reads on applicants identification signature), client's request number (which reads on applicants identification), and the command requested. The kill call request message is then sent to the server (which reads on applicants network).

Regarding the use of the Rudokas reference, this reference was used only to disclose the common use of detaching a registered (validated) terminal from a network.

Regarding the use of the Kuriki reference, this reference was used only to disclose the common use of a international subscriber identity.

The examiner standbys and restates the above rejection.

***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith   
Thursday, April 14, 2005



ERICA A. GARY  
PRIMARY EXAMINER